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JPD

PATENT

Attorney Docket No.: A-63098-1/RFT/DAV/JJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: M. Pak
Henry A. LESTER, et al.) Group Art Unit: 1646
Serial No.: 09/039,927)
Filing Date: 16 March 1998)
For: INWARD RECTIFIER,)
G-PROTEIN ACTIVATED,)
MAMMALIAN, POTASSIUM)
CHANNELS AND USES)
THEREOF)

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on 15 August 2000.

Signed: _____

Todd V. Leone

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

The Commissioner is authorized to charge the requisite fee under 37 C.F.R. § 1.20(d) for the present terminal disclaimer, and any additional fees which may be required, or credit overpayments, to Deposit Account No. 06-1300 (Order No. A-63098-1/RFT/DAV/JJD).

California Institute of Technology, having a place of business at 1201 East California Boulevard, Pasadena, CA 91125, represents that it is the assignee of the entire right, title and interest of: 1) U.S. Patent Application Serial No. 08/614,801,

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filed 7 March 1996, issued 28 April, 1998 as Patent No. 5,744,324 and 2) U.S. Patent Application Serial No. 09/039,927, filed 16 March 1998, which is a Continuation of the Application of U.S. Patent Application Serial No. 08/614,801.

Assignment of U.S. Patent Application Serial No. 08/614,801, filed 7 March 1996, issued 28 April, 1998 as Patent No. 5,744,324 and U.S. Patent Application Serial No. 09/039,927, filed 16 March 1998, via its relationship as a Continuation Application, is recorded in the United States Patent and Trademark Office at Reel/Frame 7984/0394.

It is certified that, to the best of assignee's knowledge and belief, title is in the assignee California Institute of Technology, identified above.

California Institute of Technology hereby disclaims that terminal portion of any patent granted on said U.S. Patent Application Serial Number 09/039,927, filed 16 March 1998 that would extend beyond the expiration date of U.S. Patent Application Serial No. 08/614,801, filed 7 March 1996, issued 28 April, 1998 as Patent No. 5,744,324, and hereby warrants that any patent so granted on said Serial Number 09/039,927 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said U.S. Patent Application Serial No. 08/614,801, filed 7 March 1996, issued 28 April, 1998 as Patent No. 5,744,324, this disclaimer to run with any patent granted on said Serial No. 09/039,927 and to be binding upon the grantee/assignee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application Serial Number 09/039,927 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of

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the above-listed in the event that later: U.S. Patent Application Serial No. 08/614,801, filed 7 March 1996, issued 28 April, 1998 as Patent No. 5,744,324 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is authorized to act on behalf of and as a representative and petitioner of the assignee, California Institute of Technology, has caused a review of the evidentiary documents referred to in the present Terminal Disclaimer in the chain of title of the present application and patent identified above, and it is certified that, to the best of assignee's knowledge and belief, title is in the assignee, California Institute of Technology, identified above.

Respectfully submitted,



Dolly A. Vance
Reg. No. 39,054

Date: 8-15-97